

Please Direct All Correspondence to Customer Number **20995****AMENDMENT / RESPONSE TRANSMITTAL**

Applicant : Ulrich et al.
 App. No : 10/060,908
 Filed : January 29, 2002
 For : REPLACING FILE SYSTEM
 PROCESSORS BY HOT SWAPPING
 Examiner : Behzad Peikari
 Art Unit : 2189

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

6/10/05

(Date)

John R. King
 John R. King, Reg. No. 34,362

Mail Stop Amendment

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

(X) Response in Two (2) pages.

The fee has been calculated as shown below:

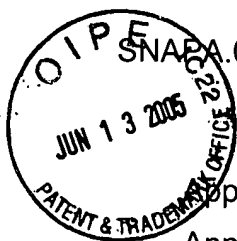
FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims > 20	72 - 72 = 0	1202 (\$50)	0 x 50 =	\$0
Independent > 3	3 - 3 = 0	1201 (\$200)	0 x 200 =	\$0
Multiple Claim	1.16(j)	1203 (\$360)		\$0
			TOTAL FEE DUE	\$0

(X) Return prepaid postcard.

(X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

John R. King

John R. King
 Registration No. 34,362
 Attorney of Record
 Customer No. 20,995
 (949) 760-0404



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ulrich et al.
Appl. No. : 10/060,908
Filed : January 29, 2002
For : REPLACING FILE SYSTEM
PROCESSORS BY HOT
SWAPPING
Examiner : Behzad Peikari
Group Art Unit : 2189
Confirmation No.: 9465

RESPONSE TO MAY 13, 2005 RESTRICTION REQUIREMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Restriction Requirement mailed May 13, 2005. The Examiner has required restriction to one of the following inventions:

- I) Claims 1–67, characterized as drawn to a computer network system providing fault tolerance by a first and second intent log stored on first and second file servers for providing information regarding future changes to metadata, classified in class 710, subclass 39; and
- II) Claims 68–72, characterized as drawn to a computer network system having a general backup server in case an original server goes offline, classified in class 714, subclass 4.

While Applicants make no representation regarding the groupings of claims or whether such claims are properly restrictable under the rules, in an effort to progress the examination of the present application, Applicants respectfully elect without traverse

Appl. No. : 10/060,908
Filed : January 29, 2002

to prosecute Claims 1–67 (Group I). Please cancel Claims 68–72 without prejudice or disclaimer.

Applicants reserve the right to pursue the nonelected claims in one or more continuing or divisional applications.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/10/05

By: John R. King
John R. King
Registration No. 34,362
Attorney of Record
Customer No. 20,995
(949) 760-0404

1750187:ah
060605